

In the Claims:

Kindly cancel claims 1-12, 14, 21-25. Also, kindly enter new claims 26 – 41 as shown in the following listing of the entire claims now pending.

Claims 1 – 12 (canceled)

Claim 13. (currently amended) ~~An implant according to claim 10 wherein said means for retaining said spacing means is at least one suture.~~ An implant for treating incontinence comprising:

spacing means for spacing a human bladder apart from a urinary sphincter and relieving pressure exerted on the sphincter by the bladder; and

at least one suture for retaining said spacing means between the urinary sphincter and the bladder.

Claim 14. (canceled)

Claim 15. (withdrawn) A method of alleviating male incontinence due to radical prostatectomy in a patient having a urethra, bladder, bladder neck, and urinary sphincter, the method comprising:

inserting a spacer between the bladder and the urinary sphincter.

Claim 16. (withdrawn) A method according to claim 15 comprising:

inserting sutures for holding said spacer in place.

Claim 17 (withdrawn) A method according to claim 15 wherein inserting comprises inserting said spacer at least partially surrounding a human urethra.

Claim 18. (withdrawn). A method according to claim 15, comprising, before inserting the spacer:

inserting a catheter through the urethra and at least partially into the bladder;

removing a portion of the urethra and the bladder neck, leaving remaining

portions of the urethra and the bladder neck; and

pulling the remaining portions of the urethra and the bladder neck towards each other; and

joining the remaining portions together.

Claim 19. (withdrawn). A method according to claim 15, further comprising:

removing the prostate gland prior to inserting the spacer.

Claim 20. (withdrawn). A method according to claim 19, wherein inserting the spacer comprises inserting the spacer in approximately the same position adjacent to the urethra as where the prostate gland was positioned.

Claims 21-25. (canceled)

Claim 26. (new). The implant of claim 13, wherein said spacing means comprises a spacer comprising

A body having an opening therein sized and configured for accommodating a urethra; a slot extending from said opening to an outer edge of said spacer; and

bendable portions on opposing sides of said slot that can be forced away from each other creating an open path for disposing the implant around the urethra and between the bladder and the urinary sphincter.

Claim 27. (new) The implant of claim 26, wherein the implant is made from a bioabsorbable material.

Claim 28. (new) The implant of claim 27, wherein the material is selected from the group consisting of fascia, dermis, collagen, Polydioxanone Suture, and Vicryl.

Claim 29. (new) The implant of claim 28, wherein the material is cross-linked.

Claim 30. (new) The implant of claim 26, wherein the implant is made from a biocompatible material.

Claim 31. (new) The implant of claim 30, wherein the material is selected from the group consisting of a polymer, nylon, silicon, nitinol, and surgical stainless steel.

Claim 32. (new) The implant of claim 26, wherein said spacer is disc-like in shape.

Claim 33. (new) The implant of claim 26, wherein said open path is circular in cross-section.

Claim 34. (new) The implant according to claim 13, wherein said spacing means is disc-like in shape.

Claim 35. (new) The implant according to claim 13, wherein said spacing means comprises a means for at least partially encircling a urethra.

Claim 36. (new) The implant according to claim 13, wherein said spacing means is formed from a sufficiently soft material that may be cut to custom-fit the size of the implant to a patient's anatomy.

Claim 37. (new) The implant according to claim 13, wherein said spacing means comprises a means for at least partially encircling at least one-half of a circumference of a urethra.

Claim 38. (new) The implant according to claim 13, wherein said spacing means comprises a means for at least partially encircling at least two-thirds of a circumference of a urethra.

Claim 39. (new) The implant according to claim 33, wherein said open path includes a diameter between 0.4 to 1.0 centimeters.

Claim 40. (new) The implant according to claim 33, wherein the implant includes an outer diameter between 2.0 to 5.0 centimeters.

Claim 41. (new) The implant according to claim 33, wherein the implant includes a cylindrical height between 2 millimeters to 1 centimeter.